

RESOLUTION NO. \_\_\_\_

A RESOLUTION RENEWING NEWWAVE COMMUNICATIONS' NON-EXCLUSIVE FRANCHISE FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE CONFINES OF CITY OF SOMERSET FOR A RENEWAL TERM OF FIVE (5) YEARS.

WHEREAS, on October 12, 1998, the City Council of Somerset, pursuant to Ordinance 98-23, created a non-exclusive, ten (10) year franchise for a cable television system to operate within the confines of the City of Somerset;

WHEREAS, New Wave Communications is operating under Ordinance 98-23;

WHEREAS, Section 4 of Ordinance 98-23 provides that NewWave shall have the right to renew its franchise for a renewal term of five (5) years, provided that it is in compliance with the material terms of the franchise;

WHEREAS, pursuant to Section 4 of Ordinance 98-23, NewWave Communications is in compliance with the material terms of the franchise.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SOMERSET FISCAL COURT:

Section 1. That the franchise of NewWave Communications for a non-exclusive franchise for the operation of cable television system within the confines of City of Somerset pursuant to Ordinance 98-23 is hereby renewed for a term of five (5) years.


Section 2. The renewal term shall expire on October 12, 2013.

Section 3. That the statements set forth in the Preamble to this Resolution are hereby incorporated in this Resolution by reference, the same as if set forth at length herein.

Section 4. That if any section, sentence, clause or phrase of this Resolution is held to be unconstitutional or otherwise invalid, such infirmity shall not affect the validity of the remainder of the Resolution.

Section 5. That this Resolution shall be effective on the date of its passage.

PASSED BY THE CITY COUNCIL OF SOMERSET ON THE 27 DAY OF April 2009.

  
MAYOR

ATTESTED:  
  
CLERK

## **NOTICE OF PUBLIC HEARING**

On November 12, at 6 PM, the City of Somerset will conduct a public hearing regarding the cable television franchise of NewWave Communications. The purpose of this public hearing is the commencement of proceedings, which, pursuant to 47 USC 546, will afford the public in the City of Somerset appropriate notice and participation for the purpose of (A) identifying the future cable-related community needs and interests, and (B) reviewing the performance of NewWave Communications under its franchise during the current franchise term.

The hearing will be held at Somerset City Hall, 400 E. Mount Vernon St, Somerset, KY. All interested parties will be given an opportunity to speak. Additionally, written comments can be sent to Mayor Edward Girdler, Somerset City Hall, 400 E. Mount Vernon St., Somerset, KY 42502-0989.